

Members

Rep. William Crawford  
Rep. Mary Kay Budak  
Sen. Connie Lawson  
Sen. Rose Antich-Carr  
Ellen Clippinger  
Cheryl Seelig  
Sven Schumacher  
Kimberly Tracy Armstrong  
Judy Nevins  
Mara Snyder  
Dr. Judith Ganser  
Michael Murray  
Nathan Samuel  
Carol Johnson  
Reverend C L Day  
Sharon Pierce



## BOARD FOR THE COORDINATION OF CHILD CARE REGULATION

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Authority: IC 12-17.2-3.1

### MEETING MINUTES<sup>1</sup>

**Meeting Date:** October 7, 2003  
**Meeting Time:** 1:00 P.M.  
**Meeting Place:** State House, 200 W. Washington St., Room 404  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 3

**Members Present:** Rep. William Crawford; Rep. Mary Kay Budak; Sen. Connie Lawson; Sen. Rose Antich-Carr; Ellen Clippinger; Mara Snyder; Dr. Judith Ganser; Michael Murray; Nathan Samuel; Reverend C L Day; Sharon Pierce.

**Members Absent:** Cheryl Seelig; Sven Schumacher; Kimberly Tracy Armstrong; Judy Nevins; Carol Johnson.

Rep. Crawford called the meeting to order at 1:20 p.m. He introduced Rep. Peggy Welch and requested that she inform those present about proposed legislation for the 2004 session of the Indiana General Assembly requiring the use of booster seats.

Rep. Welch described the concept of her proposed legislation and requested that interested parties, especially child care providers, contact her (email address [H60@in.gov](mailto:H60@in.gov)) with any comments, suggestions, or possible adverse effects of the proposed legislation. She expressed her willingness to work with interested parties to address anticipated problems before introduction of the legislation. Rep. Welch stated that statistics show that motor vehicle accidents result in permanent injuries to

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.ai.org/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

children not currently required to ride in booster seats, and her legislation is intended to prevent these injuries.

Rep. Crawford emphasized the need for the public to inform legislators, early on and throughout the legislative session, of concerns with legislation to aid in avoiding adverse consequences of legislation.

### **Family and Social Services Administration (FSSA) updates**

Beth Eiler, Deputy Director, Bureau of Child Development, Division of Family and Children (DFC), FSSA, described the information contained in three handouts distributed to the members.<sup>2</sup> There was general discussion concerning the reasons given by child care providers who declined participation in the Child Care and Development Fund (CCDF) program after implementation of minimum standards. Ms. Eiler noted that both participating providers and potentially new providers declined participation after implementation of minimum standards.

### **Public/Private Partnerships for Child Care subcommittee report**

Rep. Budak reported on the subcommittee meeting held on October 2, 2003. She noted handouts including the minutes of the subcommittee meeting, discussion notes taken by Carole Stein, and information concerning employer incentives for child care participation.<sup>3</sup> There was general discussion concerning: (a) two bills (HB 1642-2003 and SB 458-2003) concerning employer tax credits for child care, and the possibility of capping tax credits in future legislation; and (b) CCDF waiting list information by county which could serve as a pilot group for a child care affordability project. Rep. Crawford requested that staff provide a side by side comparison of the two bills mentioned and the federal law providing for employer tax credits. Rep. Budak reported that the subcommittee will meet again on October 15, 2003, at 1:30 p.m. in room 156A of the State House, and will make any recommendations to the Board at the Board's next meeting.

### **Licensure/registration as the minimum standard for CCDF provider eligibility**

Jan Levy, Child Care Professional Network (CCPN), stated that the primary emphasis in use of child care funds should be provision of direct services, which could be improved if licensure and registration were used as the minimum standard for provider eligibility for CCDF. She stated that the need to monitor compliance with minimum standards for CCDF providers, rather than having one administrative requirement of licensure and registration, creates more administrative expenses. Ms. Levy noted that Indiana is one of only 6 states in the United States that don't use licensure as the minimum standard for CCDF participation. She noted that the minimum standards address only health and safety needs, requiring nothing with respect to activities of children while they are in a provider's care.

There was general discussion concerning: (a) legally unlicensed child care providers receiving CCDF funds; (b) educational needs of children in child care; (c) child development requirements that apply to licensed providers; and (d) decreased numbers of licensed child care providers participating in CCDF.

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<sup>2</sup>Attachment 1.

<sup>3</sup>Attachment 2.

In response to questions from the members, Ms. Eiler provided a handout reflecting the application of various legal requirements to different types of providers.<sup>4</sup> There was further discussion about: (a) the consequences of requiring licensure or registration in addition to compliance with minimum standards as the base requirement for CCDF participation; (b) the fact that child abuse and neglect statutes apply to child care providers, including providers that are legally unlicensed; (c) inconsistency in child care regulation; (d) the effect of special interest groups lobbying the legislature; and (e) the decreasing CCDF participation by the most heavily regulated segment of child care.

Tavia Black, President, CCPN, stated that child care centers are losing business because CCDF children are going into other care that costs less, which results in financial difficulty for the child care centers. In response to a question from Sen. Lawson, Ms. Black affirmed that child care center costs would likely decrease if enrollment increased.

There was general discussion about transitioning the CCDF eligibility requirement from minimum standards only to licensure or registration in addition to compliance with minimum standards. Rep. Crawford appointed a subcommittee to advise the Board concerning this issue on October 22. Subcommittee members include Sen. Lawson (Chairperson). Ms. Clippinger, Ms. Pierce, Rev. Day, and Sen. Antich. Rep. Crawford requested that Natalie Wolfe, Marilyn Solomon, Jan Levy, Tavia Black, and Carole Stein participate in the work of the subcommittee. Ms. Eiler provided and discussed a handout reflecting various states' child care licensure requirements related to the number of children in a provider's care.<sup>5</sup>

Rep. Crawford noted that Patricia Cole had provided written information concerning this issue.<sup>6</sup>

#### **Kith and Kin - number of related/unrelated children requiring licensure**

Rep. Crawford noted that Patricia Cole's written information includes comments concerning this issue.

Rep. Crawford distributed a handout from Rev. Day concerning issues related to substitute care.<sup>7</sup> Rep. Crawford asked the members to review the list of issues for discussion of issues pertinent to the charge of the Board. Rev. Day expressed an interest in the definition of kinship care in Indiana and federal law. There was general discussion concerning: (a) individuals other than blood relatives that are sometimes preferred child caregivers; and (b) the definition of "related" (IC 12-7-2-162.5) for purposes of the child care regulatory statutes. It was noted that the limit on the number of children in care in the definition of "child care home" (IC 12-7-2-28.6) does not include children for whom the provider is a guardian or custodian.

Rep. Crawford announced that the next two meetings of the Board will occur at 1:00 p.m. on October 22, 2003, and at 1:00 p.m. on October 29, 2003. The Board's final report and any proposed legislation will be considered at the final meeting of the Board on October 29. Rep. Crawford emphasized that any suggestions and recommendations for proposed legislation and for the final report must be submitted to Ms. Naughton not later than October 22, 2003. He also emphasized that

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<sup>4</sup>Attachment 3.

<sup>5</sup>Attachment 4.

<sup>6</sup>Attachment 5.

<sup>7</sup>Attachment 6.

9 affirmative votes of members present at the meeting are necessary for approval of proposed legislation and the final report.

With no further business to discuss, Rep. Crawford adjourned the meeting at 2:45 p.m.